

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA

McKESSON CORPORATION
PLAINTIFF,

v.

DONNA M. PAUL, an individual and
RHEUMATOLOGY SPECIALISTS OF
CENTRAL ALABAMA, INC.,
DEFENDANTS.

Case Civil Action No.: 2:07mc-03370-MHT

RESPONSE & MOTIONS:

TO DISMISS MOTION BY PLAINTIFF FOR SANCTIONS

And

Motion to DISMISS CIVIL ACTION NO.:2:07 mc 03370

COMES NOW, the Defendant, Donna M. Paul is filing:

MOTION: TO DISMISS, MOTION FOR SANCTIONS by PLAINTIFF,

And

Motion to DISMISS CIVIL ACTION NO.:2:07 mc 03370

In the above-styled cause, and as grounds, states as follows:

Wrong defendant: The defendant has never been Dr. Donna Paul, an individual, but Donna Paul, MD, Inc. an Alabama corporation in transferred Case no. CV 04-H-210-S. (See Attachment A entitled Notice Of Taking Deposition, dated August 29, 2007 and Attachment B entitled Subpoena Duces Tecum).

Wrong jurisdiction: In civil action no.: CVOR-H-210-S., The Chief of the Jurisdiction of the United States District Court for Northern District Of Alabama issued an order after Defendants filed a motion for sanction of McKesson and Dismissal of Civil Action No: CVO4-HO210-S (SEE ATTACHMENT C). An order

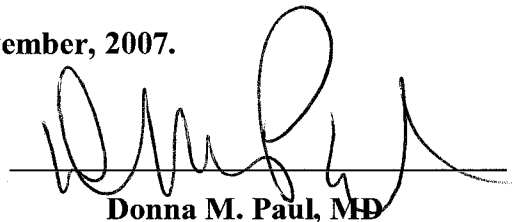
was written to the plaintiff and defendants that the plaintiff must file the complaint in the jurisdiction of United States District Court for Middle District Of Alabama. Therefore, notice of taking deposition was moot.

Violation of Bankruptcy Rules: The Plaintiff, was a creditor in Bankruptcy Court in Middle District of Alabama Case No. 04-32325-WRS Chapter 7 and Case No 04-31746-WRS Chapter 7.

Defendants Filed Motion to Sanction Plaintiff in Bankruptcy Court: During the Bankruptcy, the Plaintiff filed a complaint in another Jurisdiction, the U.S. Court in Northern District of Alabama Case (CVOR-H-210-S). The defendants filed a motion to sanction Plaintiff in a complaint in Bankruptcy Court in Middle District of Alabama Case No 04-32325-WRS Chapter 7 and Case No 04-31746-WRS Chapter 7 (See Court Cases). Plaintiff violated bankruptcy rules and was fully aware that Defendants (Dr. Donna M. Paul and Rheumatology Specialists of Central AL-an Alabama Corporation) had filed and were in Bankruptcy Court in Middle District of Alabama Case No 04-32325-WRS Chapter 7 and Case No 04-31746-WRS Chapter 7.

Conclusion: Defendant, never signed as Guarantor nor signed any agreement with the above plaintiff. Plaintiff misled the court by filing with The United States District Court for Northern District of Alabama, during the time Plaintiff was in court (being represented by their attorney) Bankruptcy Court in Middle District of Alabama Case No 04-32325-WRS Chapter 7 and Case No 04-31746-WRS Chapter 7. At no time did plaintiff's attorney bring to the attention of the defendant information regarding the case in United States District Court for Northern District of Alabama.

Respectfully submitted this 2nd day of November, 2007.

A handwritten signature in black ink, appearing to read 'Donna M. Paul', written over a horizontal line.

Donna M. Paul, MD

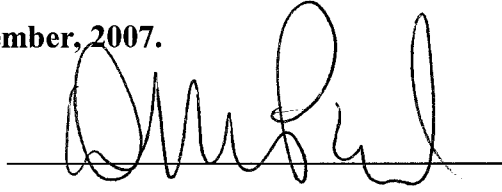
Defendant, Pro'se

102 Meadow Wood

Wetumpka, Alabama 36093

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing pleading upon the below listed party by placing a copy of the same in the United States Mail, postage prepaid and properly addressed this the 2nd day of November, 2007.

A handwritten signature in black ink, appearing to read 'Donna M. Paul', is written over a horizontal line.

Donna M. Paul, MD

Defendant, Pro'se

102 Meadow Wood

Wetumpka, Alabama 36093

Parnell & Crum, P.A.

Charles N. Parnell, III

P.O. Box 2189

Montgomery, Alabama 36102-2189

334-832-4200

Attach A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

MCKESSON CORPORATION,

Plaintiff,

VS.

CASE NO. CV 04-H-210-S

DONNA M. PAUL, MD INC.,


Defendant.

NOTICE OF TAKING DEPOSITION

TO: Donna M. Paul, MD
500 Arba Street
Montgomery, AL 36104

Please take notice that the Plaintiff will take the testimony by oral deposition of Donna M. Paul, MD, Defendant, in this case, on the 26th day of September, 2007, at 2:00 p.m. Said deposition will take place at the offices of Parnell & Crum, P.A., 641 South Lawrence Street, Montgomery, Alabama. The deposition will take place before a court reporter or some other officer authorized by law to administer oaths and will continue from time to time until completed.

RESPECTFULLY SUBMITTED this 29th day of August, 2007.


CHARLES N. PARNELL, III
ATTORNEY FOR PLAINTIFF
ATTORNEY CODE: PAR016

OF COUNSEL:
PARNELL & CRUM, P.A.
PO Box 2189
Montgomery, AL 36102-2189
334/832-4200

ATTACH B

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

MCKESSON CORPORATION,

Plaintiff,

VS.

CASE NO. CV 04-H-210-S

DONNA M. PAUL, MD INC.,

Defendant.

SUBPOENA DUCES TECUM

TO: Donna M. Paul, MD
500 Arba Street
Montgomery, AL 36104

You are hereby commanded to appear at the offices of Parnell & Crum, P.A., 641 South Lawrence Street, Montgomery, Alabama, on the 26th day of September, 2007, at 2:00 p.m., for the taking of deposition in the above-styled action. When attending same, you are hereby ordered to bring with you the following:

I. Salaries, Commissions, Bonuses and Other Remuneration:

1. Bring copies of all pay stubs, pay vouchers, payroll checks or copies of any and all documents concerning or related to your receipt of any salary, bonus, commission, or other payment or remuneration for your services, labor or other work in the last twelve (12) calendar months from each and every employer, person or entity from whom you worked or rendered services in any form or fashion.
2. Bring copies of each and every W-2 form or 1099 form you have received for work, employment, services rendered, or income you received in the last three (3) years.
3. Bring a list of each corporation, company, partnership, limited liability company (LLC), person or other entity for whom you have worked or been employed in the last five (5) years stating the name of such employer, the complete address (main office) of said employer, the dates of your employment, your salary and total compensation stated in a total average monthly sum, and the reason you no longer work there if your employment has been terminated.
4. If you claim to have been self-employed during any part of the time covering the last five (5) years, then bring business records to your deposition which will show the income and expenses of the business venture and the amounts of money you paid yourself.

Attach


36. Bring a copy of each and every financial statement you have prepared for any creditor, in anticipation of credit being extended to you, based on credit previously extended to you or for any other reason whatsoever in the last three (3) years. If you claim you do not have a copy available to you, then a summary of what the said statement reflected concerning your financial standing or networth, and the name and complete address of each and every creditor to whom you submitted such a financial statement.

37. Bring a copy of each and every casualty insurance policy you have which insures the premises, contents or other interest you have in your home, vacation home, second residence, business or business assets.

38. Bring a detailed list of each and every creditor you owe an amount of Five Thousand (\$5,000) Dollars or more including the following information:

- a. The name and complete address of the creditor;
- b. The dates and original amount of debt;
- c. The current balance of the debt;
- d. The collateral, if any, for said debt;
- e. Whether the loan or extension of credit is current or past due pursuant to its credit terms.

Dated this 27th day of August, 2007.


CHARLES N. PARNELL, III
ATTORNEY FOR PLAINTIFF
ATTORNEY CODE: PAR016

OF COUNSEL:
PARNELL & CRUM, P.A.
PO Box 2189
Montgomery, AL 36102-2189
334/832-4200

CLERK

DEPUTY CLERK

Attachment C

**IN THE UNITED STATE DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

**Dr. Donna M. Paul
Defendant**

vs.

CIVIL ACTION NO: CVO4-H-210-S

**MCKESSON
Plaintiff**

**MOTION FOR SANCTION OF MCKESSON And DISMISSAL of
CIVIL ACTION NO: CVO4-H-210-S**

COMES NOW, the defendant, by and through Pro'se Dr. Donna M. Paul, has
Filed this Motion for Sanction of MCKESSON and Dismissal of CIVIL ACTION NO:
CVO4-H-210-S reason being:

The legal arguments supporting the sanction and dismissal requested are:

1. Jurisdiction-The United States district court for Northern District of Alabama for which this Civil action **CVO4-H-210-S** was filed and ordered issued, is not the jurisdiction within which the person nor Entity resides.
- 2 Harmful error: Wrong jurisdiction, the correct district is Middle District of Alabama. The Names and address of the person to whom the notices are directed
Dr. Donna Paul, Defendant
102 Meadow wood Ct
Wetumpka, AL 36093
3. Plaintiff violated bankruptcy rules and was fully aware that Defendants (Dr. Donna M. Paul, and Rheumatology Specialists of Central AL. an Alabama Corporation) had filed and was in Bankruptcy Court in Middle District of Alabama Case No 04-32325-WRS Chapter 7 and Case No 04-31746-WRS Chapter 7. Defendant, have never sign as Guarantor nor sign any agreement with the above plaintiff. Plaintiff misled the court by filing with The United States District Court for Northern District of Alabama, during the time Plaintiff was in court (Being represented by their attorney) Bankruptcy Court in Middle District of Alabama Case No 04-32325-WRS Chapter 7 and Case No 04-31746-WRS Chapter 7. At no time plaintiff attorney brought to the attention of the defendant, regarding the case in United States district court for Northern District of Alabama.

A. Hach

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Taking Deposition has been served upon the below listed party by placing a copy of same in the United States Mail, postage prepaid and properly addressed this the 29th day of August, 2007.

Charles J. Daniels

OF COUNSEL

Donna M. Paul, MD
500 Arba Street
Montgomery, AL 36104